App. F. IX-4

1938-8 (Mrz)

Previous References
Mrz 203-35-1-2

File No. 156-3
Serial Nos. 1-4

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Four.

Part B for March 39.

SUBJECT.

Appeal Petition of ~~Pair~~ Narasimhama
P. Subbapapamahalu, S. Mayhalla Saheb
& M.E. in the
Petition of the chairman at Tirupapalli
Mrz

S. G. 1582 Narasimhama of Pindipapa Sahi.
C.

WD 0418—GPB—22,500—29-8 36

G. R. S. APP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mu3)

NOTES.

File No. 156-38

FILE HEADING

Appeal re the Chathram at Singapalli Village Ambaji Drug Hobli Chintamani Taluk

FROM

Narasimhamma · Pindipapanahalli Sidlaghatta Taluk.

No. — Dated 7.11.38 Received 11.11.38

Diary No. 764 | Enclos. 2 | Spare copies — | Serial No. 1

BRIEF ABSTRACT OF LETTER

Appeals against the order of the Inspection Commissioner in the matter of the Chathram at Singapalli Village, Chintamani Tk being retained out of the Trust belonging to Sri Lakshminarasimhaswamy temple at the place.

NOTES AND ORDERS.

1) The fee is sufficiently stamped, but the time allowed for preferring an appeal viz three months, is over, as the Order was issued to the petrs on 12-7-38. The presentation of the appeal has been delayed by nearly 2 months

2) For orders & report to Record & maybe Called for —

3) Yes Ms 14/11

4) Yes 14/11 Ms

GENERAL SECRETARY. 14 NOV. 1938 846

Gs 14/11 14-11-38 Gen. Secy

NOTES—First Sheet

WD 0283—GPB—8,750—25-1-38

2) Mez appl 80, 38-39 re: a Chattram at Singapalli village. Chintamani Tk.

Mez File No. 156 of 1938. | General and Revenue Secretariat

T 6) Jour Mrs 15/11/38

No 786 of 17.11.1938 from Mezrie Commissioner forwarding for report with records the appeal petition specified therein Letter no HC 29/38-39 of 4.2.1939 from the Mezrai Commissioner submitting records connected with the appeal. Papers 15/11

1 The Temple of Sri Narasimhaswami at Singapalli Chintamani Tk is a Mezrai Inst. (Page 11 of the printed list of Major & Minor Mezrai Insts in the State). In the premises of the temple there is an old dilapidated Mantap without roofing, which the appellants claim as their own. x Q x also Reo 6 and KC Chintamani Tk.

2 The facts of the case are fully reported in the Amildars report of 1.7.36 & the S.Dos reports of 21.7.36 & 1.12.37 x Mez Reo/35-36 x R V S x O.

3 The appellant (now represented) has in his statement of 20/6/36 before the Amildar admitted that the Mantap was probably constructed about 15 to 16 years back, that he among others has not obtained any written permission to raise the structure, & that the building was raised by a Contractor Nb one Narasimhappa & that he (the latter) was paid Rs 80/- in the presence of the then Amildar Mr Venkatachalapathy, & the then Police Instr Narasingrao. Other persons namely one Avalappa of Kembadevanahalli & Gunnaa Reddi, the Patel & Lakshmidevi Patel have stated on 20/7/36 x K x Y

Mug appl no 807 38-39 : re a Chattram (3
at Singchalli Village Chinlaunai &c

General and Revenue Secretariat — Mug File No. 156 of 1938. [App. F. III—2

Serial No.	
	before the S-D-O that they are not in possession of any Voucher for having pd Rs 80/- to Narasappa, the Contractor, for building the mantap that they do not know whether the mantap is outside or inside the temple, & that as the Scheme was raised in the presence of the Thasildar, they did not obtain any written permission from the Amildar & every thing was done as per his order, Rs 80/-. These statements go to show that they have no documentary evidence to claim the Mantap as their own.
NK	Further as seen from the Statement of 20/6/36 the mantap was in good Condition for about 8 years later on it fell down. The parties have not evinced any interest for its improvement until the local officers took steps at the instance of the Dharmadarsis to have the ugly looking mantap near the temple removed and sought orders for erecting a rest house in the vicinity. Vide plans estimate & the G-O
Y & M	No. 1266-66 / Mug 203-35-29 11-3-36
NJ	authorising the Revenue Agency to execute the Execution of Works of repairs to the temple including that of the Rest House.

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83

Muzrai appl &c 38-39 re: a Chattram at Singaparli village. Chintamani TK.

File No 156 of 1938. General and Revenue Secretariat

15/11/38

No 786 of 17.11.1938 from the Muzrai Commissioner forwarding for report with records the appeal petition specified therein Letter no HE 29/38-39 of 4.2.1939 from the Muzrai Commissioner submitting records connected with the appeal.

The Temple of Sri Narasimhaswami at Singarahalli Chintamani TK is a minor Muzrai Instn. (page 11 of the printed list of Major & Minor Muzrai Instns in the State). In the premises of the temple there is an old dilapidated Mantap without roofing, which the appellants claim as their own.

The facts of the case are fully reported in the Amildars report of 1.7.36 & the S.D.O's reports of 21.7.36 & 1.12.37

The appellant (from whose gene) has in his statement of 20/6/36 before the Amildar admitted that the Mantap was probably constructed about 15 to 16 years back, that he among others has not obtained any written permission to raise the structure, & that the building was erected by a Contractor Narasimhappa & that the Tahsildar had Rs 80/- in his presence after the then Amildar Mr Venkatachinnappa, & the then Police Instr Alasingaracharya. Other persons namely are Avalappa of Kembadevanahalli & Gunnaya Reddi, the Patel & Lakshmidevi Patel have stated on 20/7/36

x Q
x also no 6 and 8 C. Chintamani TK.

x R

V S x O

x K

x L

Mug appl no 807 38-39 : re. a Chattram (3
at Singchalle Village Chintamani T.K

General and Revenue Secretariat

Mug File No. 156 of 193 8. [App. F. III—2

Serial No.

before the S-D-O That they are not in possession of any voucher for having pd Rs 80/- to Narasappa, the Contractor, for building the mantap that they do not know whether the mantapa is outside or inside the temple, & that as the Shrotrie was raised in the presence of the then Amildar, they did not obtain any written permission from the Amildar for the Every thing was done as per his oral orders - These statements go to show that they have no documentary evidence to claim the Mantap as their own

NK Further as seen from the Statement of 20/6/36 the mantap was in good condition for about 8 years later on it fell down - The pers have not evinced any interest for its improvement untie the local officers took steps at the instance of the Dharmadarsis to have the ugly looking mantap near the temple removed and sought orders for erecting a rest house in the vicinity. Vide plans estimate & the G-O

Y & M No 1260-66 / Mug 203-35-29 11-3-36 authorising the Revenue Agency to Execute the Execution of the work of repairs to the temple including that of the Rest House.

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83

4) Appeal Re = a Stone Mantap building into the premises of Sri Varasimhaswamie Kuttle at Singapore Vesali Chinnamani Tk

743

Mug File No. 156 of 1938.

General and Revenue Secretariat

In para 3 of the P.W.D it is stated that the petitioner deposited in the Ty a sum of Rs 401- to carry out the repairs to the Chattram, which is the Stone Chattram the fallen Stone Mantap Building, & this does not go to show that they have any title to the site (on which the Mantap stands) & to the Mantap itself in ruins.

6420

9) As the records do not bear out the contentions of the petitioner it is a matter for orders whether ~~the~~ his appeal ~~may be rejected~~.

his claim to the Mantap has been established.

6.3.39.

10) The records show clearly that the Mantapa (called Chattram by the petitioner) is within the temple premises & that no private rights have been created over it. The contentions of the petitioner fails. All the lower courts have decided accordingly on this question of fact. There is no point of law involved. The appeal may be rejected. 11) A sum of about Rs 500 has been spent out of temple funds for the renovation of the Mantap in question. The appeal may be dismissed with costs & the Mayavaram Commissioner may be asked to realise the same & remit to the Temple Committee.

12) P.A. 7.3

Dewan

7/3 L

13) M.O. 7-3-39

P.A. 8-3

GENERAL SECRETARIAT
6 MAR 1939
3165

SECRETARIAT OF COUNCIL
7 MAR 1939
No. 8214

943 Appeal re: a Stone Mantap in the premises of Sri Varasimha Swami temple at Singapalli Village - Chingleput Tk.

General and Revenue Secretariat — Mag File No 156 of 1938. — [App F. III —2

Serial No	
	MAR 9 1939 7/25
	1st member) 14) 8/3
	15) 12/3/39 13/3
	16 Dft: noted as directed by board to dispose — 17
4	No 1525 of 16.3.39 to the appeal petitioner intimating that his appeal is rejected Memo No 1526 of 16.3.3 to the Magnie Commissioner forwarding Copy of the above —
	18 9/3

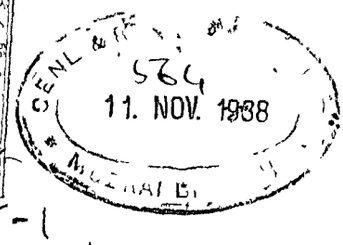
NOTE—Contn Sheet

WD 0541—GPB—30,000—2-9-38

File No. of 193 .

General and Revenue Secretariat

6



Jany 156-38-1

11/11/38

THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE
BANGALORE.

Muzarai 80 38-39.

Petitioner:-Narasimhanna residing at Pindipapanapalli
Sidlaghatta Taluk.

Under Section 22 of the Mysore Muzrai Regulation the petitioner prays that Government may be pleased to call for the records in D2 Dis 34/38-39 on the file of the muzarai Commissioner and be pleased to revise the order passed by him dated 12-7-38 on the following among other grounds:-

The Revenue Commissioner nor his subordinates gave any opportunity to adduce any evidence.

2. The Revenue Commissioner erred in coming to a conclusion as to the ownership of the chattram in such a summary manner.

3. The petitioner and other devotees have deposited a sum od Rs 40/- odd in Chintamani Taluk Treasury for carrying out the repairs to the chattram.

4. The muzarai commissioner failed to appreciate that if repairs effected at the funds of the temple, that fact would seriously encroach upon the rights of ownership of the petitioner and other devotees.

5. The muzarai commissioner failed to notice that Government had not acquired the chattram or the land on which it is situated.

6. The muzarai commissioner failed to notice that there are other chattrams within the temple premises owned by private indunduals.

The petitioner prays that Government may be pleased to direct that evidence be recorded as to the ownership of the chattram and after getting the records of the evidence dispose of the matter in accordance with law.

Bangalore.
28-10-38.

C. Ethirajulu Naidu
Advocate for petitioner.

C 7.11.38.

Office of the Madras Commissioner in Mysore Bangalore

No. Dg dis 34 '38-39 dated 12-7-38

Endorsement-Granted to pendipapana palli Narasimhanna and others of Singrepalli village — Anbagi Singhalli Chintamani Taluk to petition Registered number as per margin.

Subject:-

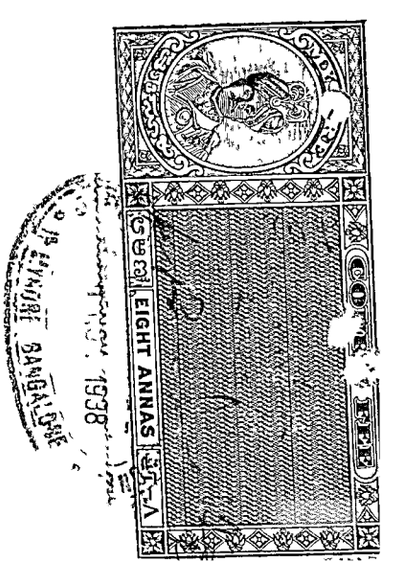
Stating that the Chatram at Singrepalli is a private one and that is being repaired at the cost of the Sri Lakshmi Narasimha Swamy Temple at the place and requesting the repairs from the institution funds may be ordered to be stopped and that the same allowed to be repaired by private funds.

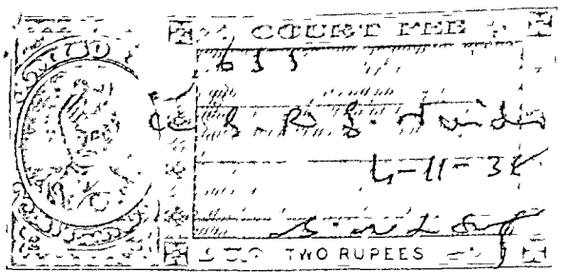
The petitioners are informed that the allegations made in their petition are not proved and their petition is accordingly rejected.

(Signed) M. N. Mandelvar
For Madras Commr

Copy

Copy applied for by Mr. M. Subbarao Advocate 19-9-38
Copy ready on 25-9-38
Copy delivered on 15-10-38
No of pp 2 as 1/0
Copying fees 0-4-0
Comparing fees 0-1-0
Copied by A. Venkatarama
Compared by S. Jagannadha Rao





~~ಕೋರ್ಟ್~~ ಬೆಂಗಳೂರು

The Government of His Highness the Maharaja of Mysore — Bangalore —

19 — 19 ನೇ ಇಸ್ವಿ ನಂಬರು

~~ವಾದಿ~~ ಯಾ ಅರ್ಜಿದಾರ್.

Venkatasimha Lamma of Jamadagni Mahanchalki

Vs.

~~ಪ್ರತಿವಾದಿ~~ ಯಾ ಆಪೋನೆಂಟ್

G. R. Ekambaraja Naidu

~~ಪಟ್ಟಾಭಿರಾಮ ಜೋಯ್ಸ್ ಸುಬ್ಬರಾಯರು~~, ಬಿ.ಎ., ಬಿ.ಎಲ್., ಅಡ್ವೋಕೇಟ್‌ರವರಿಗೆ.

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜೈರುವರಿಸಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲುಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ ನನಗೆ ಕೋರ್ಟ್‌ನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ, ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೊಸೆಸ್ ಸ್ಟಾಂಪು, ದಾವಾಸ್ಟಾಂಪು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದೇನೆ ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದೇನೆ.

ತಾರೀಖು
ಬೆಂಗಳೂರು.

ರುಜು

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

Advocate.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದೇನೆ.

Advocate for

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

HARAJA

Dated, Bangalore, 17th November 1938.

No. 786 / Mzg 156-38-2

Official Memorandum.

The accompanying appeal petition Registered No.564/38-9 dated 11th November 1938 received at the General and Revenue Secretariat from Narasimhanna of Pindipapanahalli, Siglaghatta Taluk, appealing against the Muzrai Commissioner's Order communicated to him in Endorsement No.D2.Dis.34/38-39 dated 12th July 1938 regarding the Chattram at Singrepalli village, Chintamani Taluk, being repaired at the cost of Sri Lakshminarasimhaswami temple at the place, is forwarded with compliments to the Muzrai Commissioner in Mysore, for favour of report with connected records.

By Order,

General Secretary to Government.

S.

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

Mysore 156-38-2

OFFICIAL MEMORANDUM.

No. 7566/one D 17-11-38
appeal

The accompanying Petition Registered
No. 564/38-39 dated 11.11.1938
received at the General and Revenue
Secretariat from Narasimhanna
of Pindya Samadhalli -
Sidlaghatta TK. appeal
against the M.C.S order
Communicated herein in
Endt No D2 Dis 34/38-39
dt 12-7-38 regarding
the Chattram at Gopalli
Village Chikkaballi TK. 1
being referred at the Cost of
Sri Lakshmi Narasimhaswami
temple at the place
is forwarded, ~~together with its enclosures~~
to the M.C.
.....
.....for favour
of report with Connected records

By Order,
Secretary.

BANGALORE,
14/11/1938

[P. T. O.

WD 2369 -GPB—3,000—14-6-27

Mur. 9.

No. H-C. 29/38-9

3 files

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

943 Bangalore, 3rd February 1939.

Mr. 4

Mug/156-38-2

FROM S. ABDUL WAJID, Esq, B.A.,
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Muzrai Commissioner in Mysore,
Bangalore.

To K. Subba Rao, Esq., B.A.,
Secretary to Government of His Highness
the Maharaja of Mysore,
General Department,

GENERAL SECRETARIAT
4 FEB 1939

SIR,

Appeal of Narasimhanna of Pindipapanahalli, Sidlaghatta Taluk.

K.L. With reference to your letter No.786/Muz.156-38-2 dated 17th November 1938 calling for a report with records in the above appeal re. the Chattram at Singrepalli village, Chintamani Taluk, I have the honor to forward herewith the connected file of records received with the Kolar District Deputy Commissioner's letter No.A2-C.1763/38-39 dated 10-1-1939; and to state that the facts of the case are fully explained in this Office Note No.D2 Dis.34/38-39 which is sent herewith together with file No.App.9/36-37, for reference and --------

return.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Secretary.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mug

File No. 156-38

Serial No. 4

Diary No. of letter replied to 5644/43

No. 1525

To

Mr N Narasimhamma of Pindipapanah
Siddaghatta TK C/o G. R.
Ethirajulu Naidu Esq BA BL.
Advocate. Bangalore City

General and Revenue Secretariat

( )

the *193* .

Date of issue 16-3-39

Signed by

Writs rec'd in his petn of 7.11.38 appealing against the M.C's order in the matter of repairs to the Chattram at Siddaghatta vide also Chintamani TK. Mr Narasimh is informed that Govt. see no reasons to interfere with the orders of the M.C. in the matter and that his appln. petn is rejected.

B.O
for 16/3/39

Dy Gen Sec

List of enclosures .....

TYPING SEC.

Copied by .....

Examined by .....

GS 13/3

WD —GRPM—40,000—20-7-31.

P.T.O

1526/Mtz 156-38 4 Lands Records
8/16. 3. 39.

Copy of m-e. for information returning
Lands Records letter no HC
29/38-39 of 4.2.39 on the subject
A.O

Dr Lands Sec

GS
13/3